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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: BUR920000098US1

OFFICIAL

In re Application of: §
§
SMITH ET AL. §
§
Serial No.: 09/681,327 §
§
Filed: 19 MARCH 2001 §
§
For: METHOD AND SYSTEM FOR §
OPTIMIZING CODE USING AN §
OPTIMIZING COPROCESSOR §

Examiner: VO, T.

Art Unit: 2122

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Jack R. Smith declares as follows:

1. I am one of the Applicants for the patent application entitled "Method and System for Optimizing Code using an Optimizing Coprocessor," Serial No. 09/681,327, filed March 19, 2001, and an inventor of the subject matter described and claimed therein.

2. Prior to March 2000, I completed and reduced to practice, in the United States of America, the invention described and claimed in the subject application, as evidenced by the following:

Prior to March 2000, I and my co-inventors jointly submitted Invention Disclosure No. BUR8-2000-0106, attached as Exhibit A hereto, which describes our solution for optimizing code using an optimizing coprocessor.

3. The creation date deleted from Exhibit A is prior to March 2002.

4. I further declare that all statements made herein of my own knowledge and all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of United States Code and that such willful and false statements may jeopardize the validity of the above-referenced application and any patent issuing therefrom.

FURTHER DECLARANT SAYETH NOT.

Jack R. Smith

4/20/04
Date

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